



National Gazette

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THE PAPUA NEW GUINEA NATIONAL GAZETTE

The Papua New Guinea *National Gazette* is published sectionally in accordance with the following arrangements set out below.

THE PUBLIC SERVICES ISSUE.

The Public Services Issue contains notices concerning vacancies, transfers and promotions within the National Public Service. These issues are published monthly in the first week of each month.

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The General Notices Issue includes the date of the sittings of the National Parliament; Legislation (Acts assented to, Statutory Rules); Tenders etc. These issues are published weekly at 11.30 a.m. on Thursday.

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Special Issues are made on urgent matters as required. They are provided at no extra cost to subscribers.

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National Gazette	Papua New Guinea	Asia - Pacific	Other Zones
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General	110.00	212.94	212.94
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PAYMENTS.

Payments for subscription fees or publication of notices, must be payable to:
Government Printing Office,
P.O. Box 1280,
Port Moresby.

NOTICES FOR GAZETTAL.

Notice for insertion in the General Gazette must be received at the Government Printing Office, P.O. Box 1280, Port Moresby, before 12.00 on Friday, preceding the day of publication.

All notices for whatever source, must have a covering instruction setting out the publication details required.

The notice must be an original. Photostat or carbon copies are not accepted.

The notice should be typewritten (double-spaced) and one side of the paper only. Signatures in particular, and proper names must be shown clearly in the text.

Copies submitted not in accordance with these instructions will be returned unpublished.

PROCEDURE FOR GOVERNMENTAL SUBSCRIPTIONS.

Departments are advised that to obtain the Gazettes they must send their requests to:

- (i) The Government Printing Office, P.O. Box 1280, Port Moresby, National Capital District.

PUBLISHING OF SPECIAL GAZETTES.

Departments authorising the publication of Special Gazettes are required to pay all printing charges under the instructions from the Manual of Financial Procedures Section 13.3 Sub-section 11.

K. KAI AH,
Government Printer.

Income Tax Act 1959 as amended

LODGEMENT OF TAXATION RETURNS

I, Betty Palaso, Acting Commissioner-General of Internal Revenue (hereinafter referred to as the Commissioner-General), by virtue of the powers conferred by the *Papua New Guinea Income Tax Act 1959 as amended* (hereinafter referred to as the Act) and all other powers me enabling, hereby require returns of all income derived during the year ended on the 31st December 2004, (or the accounting period, if any, adopted with the leave of the Commissioner-General in lieu of that year), to be furnished to me on such of the forms provided for the purpose as are applicable, containing the information and particulars mentioned or referred to in the relevant forms, and verified by declarations as therein set forth, and accompanied by all such balance sheets, profit and loss accounts, statements and other documents as are mentioned in the forms or as are requisite, at the appropriate places, on or before the dates hereinafter stated.

Persons Required to Furnish Returns.

Dates for lodgement categories 1 - 14 on or by 28/02/2005, categories 15 and 16 on or by 30/04/2005.

- (1) Every person resident in Papua New Guinea whose total income from all sources, both in and out of Papua New Guinea (other than repatriation, age and invalid pensions and other exempt income as defined in the Act), included income derived by way of salary or wages where that salary or those wages were not subject to salary or wages tax in accordance with the Act and the *Income Tax (Salary and Wages Tax)(Rates) Act 1979 as amended*.
- (2) Every person resident in Papua New Guinea who derived a capital amount, being an allowance, gratuity, compensation or distribution from a superannuation fund, which is deemed to be salary and wages in whole or in part because that allowance, etc, was paid in consequence of retirement from or the termination of, an office or employment.
- (3) Every person resident in Papua New Guinea who derived a housing allowance or any other allowance not fully taxed, which was deemed to be salary or wages subject to salary or wages tax in accordance with the Act and the *Income Tax (Salary or Wages Tax)(Rates) Act 1979 as amended*.
- (4) Except as provided in this item, every person resident in Papua New Guinea, whose total income from all sources, both in and out of Papua New Guinea (other than income specifically exempted from tax in the Act) consists of or includes income derived by way of investment, or income so deemed by way of royalties or other income from any source which is not otherwise itemised in this Notice, where that income (when taken together with any other income in this Notice and income derived by way of salary or wages, if any, whether or not subjected to salary or wages tax in accordance with the *Income Tax (Salary or Wages Tax)(Rates) Act 1979 as amended*, was in excess of K6,000,

provided that:

A person resident in Papua New Guinea who derived income other than salary or wages, described in this Item as investment income, where that income is gross before allowance of any deductions, rebates or credits, and does not exceed K100, is not required to lodge a return of income unless especially requested to do so by the Commissioner-General.

Lodgement of Taxation Returns *continued*

- (5) Every person resident in Papua New Guinea whose total income from all sources both in and out of Papua New Guinea, derived wholly or partly from personal exertion (other than in the capacity of an employee) from a source which is a business in the ordinary acceptance of that term or within the ordinary meaning of that term, including a professional business, where that income (when taken together with any other item of income in this Notice and income derived by way of salary or wages, if any, whether or not subjected to salary or wages tax in accordance with the *Income Tax (Salary or Wages Tax)(Rates) Act 1979* as amended), was in excess of K6,000.
- (6) Every person resident in Papua New Guinea being or having been a member of a partnership (other than a company) whose total income from the partnership, when taken together with income from all other sources both in and out of Papua New Guinea, including any other item of income in this Notice and income derived by way of salary or wages, if any, whether or not subjected to salary or wages tax in accordance with the *Income Tax (Salary or Wages Tax)(Rates) Act 1979* as amended, was in excess of K6,000.
- (7) Every person resident in Papua New Guinea whose total income from a Papua New Guinea trust estate or a foreign trust estate, when taken together with income from all other sources both in and out of Papua New Guinea including any other item of income in this Notice and income derived by way of salary or wages, if any, whether or not subjected to salary or wages tax in accordance with the *Income Tax (Salary or Wages Tax)(Rates) Act 1979*, as amended, was in excess of K6,000.
- (8) Every trust estate or trustee of a trust estate, including a Papua New Guinea trust estate or the trustee thereof, which is or has been resident in Papua New Guinea, whose total income derived from all sources in and out of Papua New Guinea was in excess of K1.
- (9) Every company resident in Papua New Guinea whose total income derived from all sources, both in and out of Papua New Guinea, was in excess of K2.
- (10) Every non-resident person (other than a company) whose total income derived from all sources in Papua New Guinea, including income derived by way of salary or wages, if any, whether or not subjected to salary or wages tax in accordance with the *Income Tax (Salary or Wages Tax)(Rates) Act 1979* as amended, was in excess of K1,

provided that the following persons are not required to lodge a return of income:

a non-resident person whose income from Papua New Guinea sources consisted solely of dividends which have borne Papua New Guinea dividend (withholding) tax or interest which has borne Papua New Guinea interest withholding tax or whose sole income from Papua New Guinea sources was from a prescribed contract and such income has borne Papua New Guinea foreign contractors (withholding) tax.

- (11) Every trust estate, or foreign trust estate, or the trustee thereof, which is not a resident of Papua New Guinea whose total income derived from all sources in Papua New Guinea was in excess of K1.
- (12) Every non-resident company whose total income derived from all sources in Papua New Guinea was in excess of K2, provided that the following companies are not required to lodge a return of income:—

a non-resident company whose income from Papua New Guinea consisted solely of dividends which have borne Papua New Guinea dividend (withholding) tax or interest which has borne Papua New Guinea interest withholding tax or whose sole income from Papua New Guinea was from a prescribed contract and such income has borne Papua New Guinea foreign contractors (withholding) tax.
- (13) Every provident, benefit or superannuation fund being resident in Papua New Guinea whose total income derived from all sources in or out of Papua New Guinea, or where non-resident whose total income derived from all sources in Papua New Guinea, in each case, exceeds K2.
- (14) Every public authority for the purposes of Section 24(3) of the Act, prescribed as being taxable, whose total income derived from all sources exceeds K2.
- (15) Every religious and charitable institution whether or not exempt from income tax, whose income from any business or commercial undertaking in or out of Papua New Guinea exceeds K2.
- (16) Every provincial authority, local government and local level government body, by whatever name known, whose income from any business or commercial undertaking or activity, other than from the provision of normal council services, exceeds K2.

Every partnership is required to lodge a return showing the income of the partnership and the return is required to be furnished on or before 28th February, 2005 by the partner resident in Papua New Guinea or by any one of them. Where there is no partner resident in Papua New Guinea, the return is required to be furnished by the agent in Papua New Guinea for the partnership.

Lodgement of Taxation Returns *continued*

A return of the total income of every trust is required to be furnished, on or before 28th February, 2005 by the trustees thereof resident in Papua New Guinea or by any one of them. Where there is no trustee resident in Papua New Guinea, the return is required to be furnished by the agent in Papua New Guinea for the trustee.

A training levy return is required to be furnished, on or before 28th February, 2005 by every employer whose annual payroll is over K200,000 during the year ended 31st December, 2004.

Every agent for a principal, whether resident, or non-resident, is required to furnish a return demanded of his principal.

A return of the amounts paid or payable in or out of Papua New Guinea in respect of the carriage of passengers, livestock mails or goods shipped in Papua New Guinea in a ship belonging to or chartered by a person whose principal place of business is out of Papua New Guinea is to be furnished by the master of the ship or the agent or other representative in Papua New Guinea of the owner or chartered. Such return showing the amounts paid or payable during the year ended 31st December, 2004 is required to be furnished on or before 30th April, 2005.

Every company is required to furnish in addition to the return of income, separate statements to accompany the return showing:

- (a) the name and address of each company, whether resident or non-resident, to which dividends, royalties, management fees and/or interest was paid or credited, and the amount paid or credited during the period covered by the return.
- (b) the name and address of each individual taxpayer, whether resident or non-resident, to whom dividends, royalties, management fees, and/or interest in excess of K500 were paid or credited, and the amount paid or credited to each during the period covered by the return.
- (c) the total amount of interest paid or credited, during the period covered by the return, to debenture holders who are not residents of Papua New Guinea on money secured by debentures of the company, and used in Papua New Guinea, or used in acquiring assets for use or disposal in Papua New Guinea, and to depositors who are not residents of Papua New Guinea on money lodged at interest in Papua New Guinea with the company.
- (d) the total amount of interest paid or credited during the period covered by the return, in respect of debentures payable to bearer, the names and addresses of the holders of which are not supplied to the Commissioner-General.
- (e) the name and address of each non-resident insurance company or insurer with whom an insurance contract has been entered into and the amount of the insurance premium paid to them during the period covered by the return.
- (f) in the case of insurance companies reinsuring with non-residents:
 - (i) the name and address of the non-resident reinsurer
 - (ii) the amount of the premiums paid or credited to each such insurer during the period covered by the return.
 - (iii) whether an election in terms of Section 209(2) of the Act is enclosed.

Every person or institution holding money lodged at interest in Papua New Guinea is required to furnish, in addition to their return of income, a statement showing the name and address of each depositor to whom interest in excess of K500 was paid or credited and the amount of interest paid or credited to each depositor during the year ended 31st December, 2004.

Failure to duly furnish any of the required returns render the person concerned liable to a penalty of not less than K500 or more than K5000 as determined by a court of competent jurisdiction plus K50 for each day during which failure continues.

Note: Where a taxpayer has an approved substituted accounting period the final day of that substituted accounting should be understood, for the purposes of this notice, as applying wherever this notice uses the words 31st December, 2004.

Dated this 4th day of January, 2005.

Ms B. PALASO,
Acting Commissioner-General of Internal Revenue.

Land Act 1996**DECLARATION OF LAND AND GRANT OF LEASES**

PART IX- Grant of State Lease of Improved Government Land to the National Housing Corporation in accordance with the provisions of Sections 111 and 113 of the aforementioned Act notice is hereby given that:

- (a) The land identified in the following Schedule are land to which the Part IX of the *Land Act* 1996 applies; and
 (b) The leases over the Land identified in the following Schedule are hereby granted to the National Housing Corporation pending transfers to those properties to persons entitled to purchase same.

SCHEDULE

Sections	Allotments	Town/Suburbs	Provinces
28	102	Boroko	NCD
42	126	Boroko	NCD
03	33	Lae	Morobe
41	42	Lae	Morobe

Dated this 14th day of January, 2005.

P. S. KIMAS,
 Delegate of the Minister for Lands and Physical Planning.

Companies Act 1997

COMPANY NUMBER 1-13099

**NOTICE OF INTENTION TO REINSTATE A
DEREGISTERED COMPANY**

I, Aihi Miria of P.O. Box 2244, Lae, Morobe Province, give notice that I intend to apply to the Registrar of Companies to reinstate Sentry Locksmith Limited, a company that was deregistered on 3rd June, 2002 and give notice that my applications are:

- I have a property interest in the restoration of the company pursuant to Section 378(2) of the *Companies Act* 1997; and
- The company had assets (and therefore carrying on business) at the time of its deregistration; and
- The company should not have been removed from the register of registered companies.

Dated this 7th day of February, 2005:

A. MIRIA,
 Signature of Applicant.

This Notice has been approved by the Registrar of Companies.

Dated this 7th day of February, 2005.

T. GOLEDU,
 Registrar of Companies.

Note: A person within one month after the publication of this notice, lodge with the Registrar of Companies an objection and reasons thereof to the reinstatement of the deregistered company in accordance with Section 378(3)(d) of the *Companies Act* 1997.

Oaths, Affirmation and Statutory Declarations Act (Chapter 317)**APPOINTMENT OF A COMMISSIONER FOR OATHS**

I, Hon. Mark Maipakai, MP., Minister for Justice, by virtue of the powers conferred by Section 12(1) of *Oaths, Affirmation and Statutory Declarations Act* (Chapter 317) and all other powers me enabling, hereby appoint Julian Counsel, a Human Resource Manager with Grown Plaza Hotel of P.O. Box 1171, Port Moresby, as a Commissioner for Oaths for a period of 6 years effectively on the date of publication in the *National Gazette*.

Dated this 11th day of January, 2005.

Hon. M. MAIPAKAI, MP.,
 Minister for Justice.

Land Registration Act (Chapter 191)**ISSUE OF OFFICIAL COPY OF STATE LEASE**

NOTICE is hereby given that after the expiration of fourteen clear days from the date of publication of this Notice, it is my intention to issue an Official Copy of the State Lease referred to in the Schedule below under Section 162 of *Land Registration Act* (Chapter 191), it having been shown to my satisfaction that the registered proprietor's copy has been lost or destroyed.

SCHEDULE

State Lease Volume 28, Folio 221 evidencing a leasehold estate in all that piece or parcel of land known as Portion 1635, Milinch Granville, Fourmil Moresby, National Capital District containing an area of 7.6400 hectares more or less the registered proprietor of which is Joe Henao Gabutu.

Dated this 2nd day of February, 2005.

R. KAVANA,
 Registrar of Titles.

Land Groups Incorporation Act (Chapter 147)**NOTICE OF LODGEMENT OF AN APPLICATION FOR
RECOGNITION AS AN INCORPORATED LAND GROUP**

ILG No. 10501

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:

Neudai Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:

- Its members are from Aimei Village.
- Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- It owns customary land in East Kikori Local Level Government Area, Gulf Province.

Dated this 22nd day of October, 2004.

M. TOLA,
 A Delegate of the Registrar of Incorporated Land Groups.

Industrial Relations Act (Chapter 174)**REGISTRATION OF MILNE BAY ESTATE PTY LTD**

Award No. 13 Of 2004

I, Helen Naime Saleu, Industrial Registrar, by virtue of the powers conferred by the *Industrial Relations Act* (Chapter 174), and all other powers me enabling, hereby register an Industrial Award described in the Schedule hereto under the title Milne Bay Estate Pty Ltd (Award No. 13 of 2004) and advise that copies of the Award may be obtained from the Industrial Registry, Department of Labour and Industrial Relations, P.O. Box 5644, Boroko, National Capital District.

SCHEDULE

A memorandum of understanding made on the 9th November, 2004 between the management of Milne Bay Estate Pty Ltd (hereinafter referred to as the management of one part) and the employees of Milne Bay Estate Pty Ltd (hereinafter referred to as the employees) of the other part, concerning terms and conditions of employment.

Dated this 17th day of November, 2004.

H. N. SALEU,
Industrial Registrar.

Public Services Conciliation and Arbitration Act (Chapter 69)**DETERMINATION No. 04 Of 2004**

I, Helen Naime Saleu, Industrial Registrar, by virtue of the powers conferred by the *Public Services Conciliation and Arbitration Act* (Chapter 69) and all other powers me enabling, hereby register an agreement described in the Schedule hereto under the title National Capital District Workers Salaries Fixation Determination No. 04 Of 2004 and advise that copies of the Determination may be obtained from the Industrial Registry, Department of Labour and Industrial Relations, P.O. Box 5644, Boroko, National Capital District.

SCHEDULE

An Industrial Agreement made on the 26th November, 2004, between the National Capital District Commission (the commission) of the first Part and the National Capital District Commission Worker s Union (the Union) on behalf of their members. This agreement is made to regulate salary increases in the National Capital District Commission for a period from 1st January, 2004 to 31st December, 2006, and to provide for a implementation on a revised performance based salary structure.

Dated this 10th day of December, 2004.

H. N. SALEU,
Registrar of Public Service Conciliation & Arbitration Act.

Industrial Relations Act (Chapter 174)**REGISTRATION OF SHIP OFFICER S AWARD**

Award No. 14 Of 2004

I, Helen Naime Saleu, Industrial Registrar, by virtue of the powers conferred by the *Industrial Relations Act* (Chapter 174), and all other powers me enabling, hereby register an Industrial Award described in the Schedule hereto under the title Ship Officer s Award (Award No. 14 of 2004) and advise that copies of this Award may be obtained from the Industrial Registry, Department of Labour and Industrial Relations, P.O. Box 5644, Boroko, National Capital District.

SCHEDULE

An Industrial Agreement made on the 10th December, 2004 between Employers Federation of Papua New Guinea (hereinafter referred to as the employer) of one part and the PNG Maritime Workers Industrial Union (hereinafter referred to as the union) of the other part, concerning conditions of employment for seamen engaged on coastal vessels.

Dated this 14th day of December, 2004.

H. N. SALEU,
Industrial Registrar.

Land Groups Incorporation Act (Chapter 147)**NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATED LAND GROUP**

ILG No. 9786

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:

Gigore Gaiabu Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:

- (1) Its members are from Gigore Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in East Kikori Local Level Government Area, Gulf Province.

Dated this 30th day of September, 2003.

T. PISAE,
A Delegate of the Registrar of Incorporated Land Groups.

Land Groups Incorporation Act (Chapter 147)**NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATED LAND GROUP**

ILG No. 10495

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:

Miauni Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:

- (1) Its members are from Aimeimere Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in East Kikori Local Level Government Area, Gulf Province.

Dated this 22nd day of October, 2004.

M. TOLA,
A Delegate of the Registrar of Incorporated Land Groups.

Land Groups Incorporation Act (Chapter 147)**NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATED LAND GROUP**

ILG No. 10497

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:

Araunahiru Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:

- (1) Its members are from Aimeimere Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in East Kikori Local Level Government Area, Gulf Province.

Dated this 22nd day of October, 2004.

M. TOLA,
A Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act (Chapter 147)***NOTICE OF LODGEMENT OF AN APPLICATION FOR
RECOGNITION AS AN INCORPORATED LAND GROUP****ILG No. 10498**

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:

Oatoromere Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:

- (1) Its members are from Aimei Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in East Kikori Local Level Government Area, Gulf Province.

Dated this 22nd day of October, 2004.

M. TOLA,
A Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act (Chapter 147)***NOTICE OF LODGEMENT OF AN APPLICATION FOR
RECOGNITION AS AN INCORPORATED LAND GROUP****ILG No. 10499**

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:

Nahiruivi Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:

- (1) Its members are from Aimei Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in East Kikori Local Level Government Area, Gulf Province.

Dated this 22nd day of October, 2004.

M. TOLA,
A Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act (Chapter 147)***NOTICE OF LODGEMENT OF AN APPLICATION FOR
RECOGNITION AS AN INCORPORATED LAND GROUP****ILG No. 10500**

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:

Buhenaro Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:

- (1) Its members are from Aimei Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in East Kikori Local Level Government Area, Gulf Province.

Dated this 22nd day of October, 2004.

M. TOLA,
A Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act (Chapter 147)***NOTICE OF LODGEMENT OF AN APPLICATION FOR
RECOGNITION AS AN INCORPORATED LAND GROUP****ILG No. 10250**

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:

Haive Akai # 1 Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:

- (1) Its members are from Hururu Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in Ihu Local Level Government Area, Gulf Province.

Dated this 24th day of May, 2004.

R. KAVANA,
Registrar of Incorporated Land Groups.